



July 29, 2009

TO: Heads of Contracting Activity and Deputies

FROM: Nancy Gunderson / signed /
Acting Deputy Assistant Secretary
for Acquisition Management and Policy

SUBJECT: Class Deviation – FAR 52.222-8 (Payrolls and Basic Records)

Effective as of the date of this memorandum, all Department of Health and Human Services' contracting offices are hereby granted a class deviation from paragraph (b) (1) of the clause at Federal Acquisition Regulation (FAR) 52.222-8, "Payrolls and Basic Records."

Specifically, paragraph (b)(1) of that clause is hereby amended to reflect the U.S. Department of Labor's revised regulatory language (attached), which is intended to protect the personal privacy of laborers and mechanics employed on covered construction contracts.

The attached Civilian Agency Acquisition Council (CAAC) Letter 2009-02 represents the required consultation with the CAAC chairperson, in accordance with FAR 1.404, "Class Deviation."

This class deviation remains in effect until implemented in the FAR, or otherwise rescinded. My point of contact for this memorandum is Cheryl Howe, Procurement Analyst, who can be reached on (202) 690-5552 or at cheryl.howe@hhs.gov.

Attachment

cc: FAR Secretariat